

Notice of Allowability

Application No.

09/654,929

Examiner

Thomas A. Dixon

Applicant(s)

AKIYAMA ET AL.

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/7/07.
2. ☒ The allowed claim(s) is/are 1-41.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/510,122.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Applicant's claims submitted 2/7/2007 are compliant to the requirements of 1.173(g).

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Kravitz on 4/27/07.

The application has been amended as follows:

In amended drawings 2 and 7 the word "(AMENDED)" has been placed below the figure number to comply with MPEP 1413.

Response to Amendments / Arguments

3. Applicant's arguments regarding the declaration of 9/15/06, are convincing, the declaration is acceptable.
4. Applicant's amendments to the claims overcome the recapture rejection.
5. The original patent has been surrendered and is artifact file 09654929za.
6. New corrected drawings in compliance with MPEP 1413 have been received for figures 2 and 7.
7. A discussion of the support in the specification for all functions of all the new claims has been provided as required by 37CFR 1.173(c), and is acceptable.

Allowable Subject Matter

8. Claims 1-41 are allowable over the prior art.

9. The following is an examiner's statement of reasons for allowability:

As per Claims 1, 4, 6, 7.

The prior art of record, specifically, Arnold et al (176) in view of Hartman Jr ('166) does not disclose:

a software management means for decoding encrypted software data and for managing monetary charges according to the usage of the software data; and

output switchover means for receiving encrypted data from said input switchover means and outputting the encrypted data to said software management means, and for receiving non-encrypted software data from said input switchover means and outputting the non-encrypted software data to said data conversion section as claimed.

As per Claims 8, 12, 23, 24, 28, 39.

The prior art of record, specifically Shear ('598) in view of Allen ('713) do not disclose a switch means for switching a one-way connection between said digital information receiving means and said information converting means, said digital information receiving means and said drive means, and said drive means and said information converting means, as claimed.

As per Claims 16, 21, 22, 32, 37, 38.

The prior art of record, specifically Shear ('598) in view of Allen ('713) do not disclose first, second and third switches for switching a one-way connection between said digital information receiving means and said information converting means, said digital information receiving means and said drive means, and said drive means and said information converting means, as claimed.

As per Claim 20.

The prior art of record, specifically Shear ('598) in view of Allen ('713) do not disclose first, second, third and fourth switches for switching a one-way connection between said digital information receiving means and said information converting means, said digital information receiving means and said drive means, and said drive means and said information converting means, as claimed.

As per Claim 36.

The prior art of record, specifically Shear ('598) in view of Allen ('713) do not disclose first, second, third, fourth and fifth switches for switching a one-way connection between said digital information receiving means and said information converting means, said digital information receiving means and said drive means, and said drive means and said information converting means, as claimed.

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As per Claim 40.

The prior art of record, specifically Shear ('598) in view of Allen ('713) do not disclose:

a fourth switch position which connects digital data read from the storage medium to a software management which decodes encrypted software data in the read digital data and then provides the decoded software data to the converter to be converted into at least one of visible and audible data, wherein the software manager manages monetary charges according to usage of the decoded software data; and

a fifth switch position which connects the digital data provided by the communication path to the software manager which decodes encrypted software data in the provided digital data and then provides the decoded software data to the converter to be converted into at least one of visible or audible data, wherein the software manager manages monetary charges according to usage of the decoded software data.

As per Claim 41.

The prior art of record, specifically Shear ('598) in view of Allen ('713) do not disclose:

means for connecting digital data read from the storage medium to a software manager which decodes encrypted software data in the read digital data and then provides the decoded software data to the converter to be converted into at least one of visible and audible data, wherein the software manager manages monetary charges according to usage of the decoded software data; and

means for connecting digital data provided by the communication path to the software manager which decodes encrypted software data in the provided digital data and then provides the decoded software data to the converter to be converted into at least one of visible and audible data, wherein the software manager manages monetary charges according to usage of the decoded software data.

The claims that depend from the above allowable claims are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

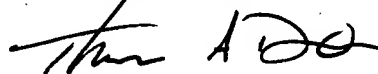
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



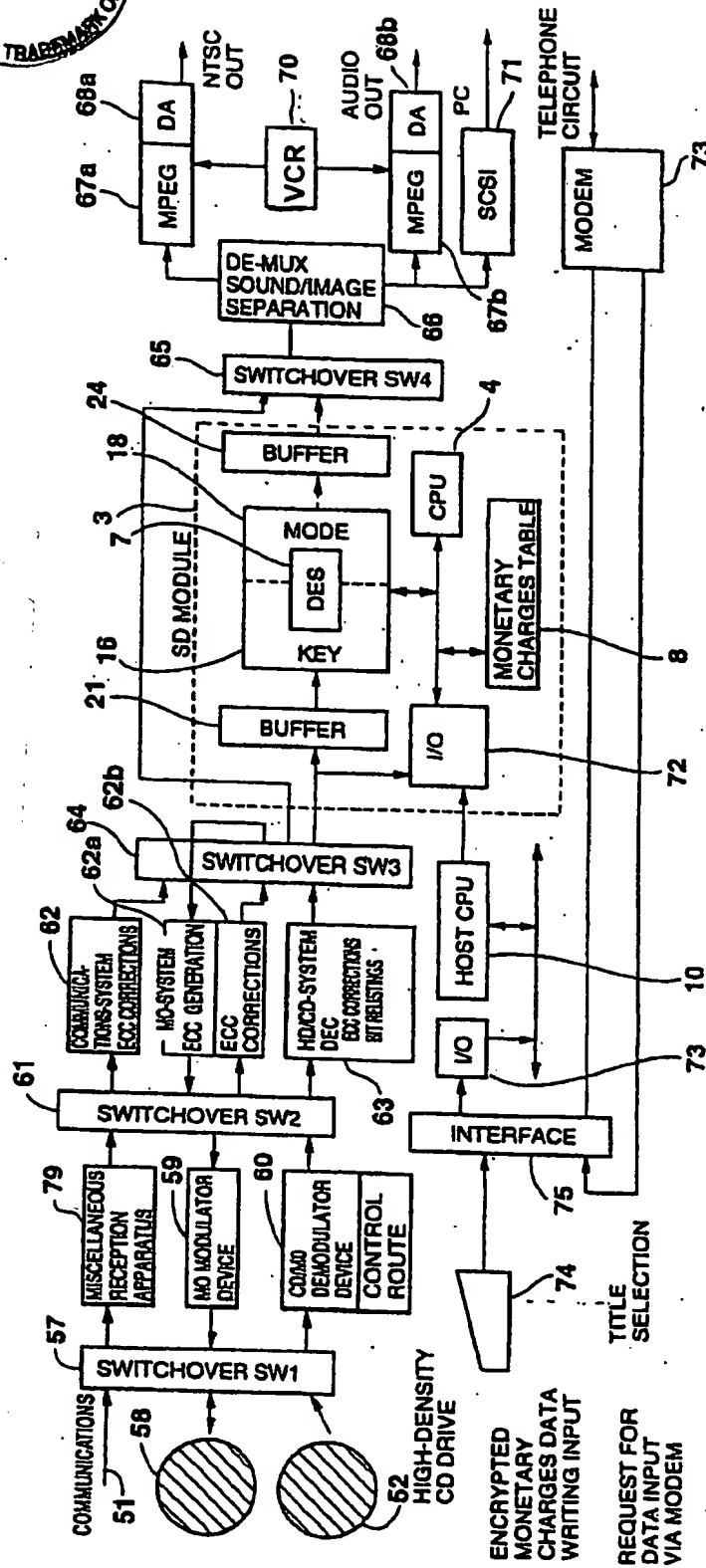
Thomas A. Dixon
Primary Examiner
Art Unit 3628

March 07



AMENDED

FIG. 2
(AMENDED)



OIPE 14989
 SEP 15 2006
 PATENT & TRADEMARK OFFICE

AMENDED

FIG. 7
(AMENDED)

